No. 89-1558

IN THE

Supreme Court of the United States

OCTOBER TERM, 1989

EDWARD STEPHENS; MARION FRANKLIN SHIRLEY; DANIEL CARVER, SR.; DAVID HOLLAND; SOUTHERN WHITE KNIGHTS, KNIGHTS OF THE KU KLUX KLAN; AND INVISIBLE EMPIRE, KNIGHTS OF THE KU KLUX KLAN, INC.,

Petitioners,

v.

JAMES E. McKINNEY, et al.,

Respondents.

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

BRIEF IN OPPOSITION TO PETITION FOR A WRIT OF CERTIORARI

J. RICHARD COHEN
Counsel of Record
MARK ENGLEHART
P. 0. Box 2087
Montgomery, AL 36102-2087
(205) 264-0286

COUNSEL FOR RESPONDENTS

No. 89-1558

IN THE

Supreme Court of the United States

OCTOBER TERM, 1989

EDWARD STEPHENS; MARION FRANKLIN SHIRLEY; DANIEL CARVER, SR.; DAVID HOLLAND; SOUTHERN WHITE KNIGHTS, KNIGHTS OF THE KU KLUX KLAN; AND INVISIBLE EMPIRE, KNIGHTS OF THE KU KLUX KLAN, INC.,

Petitioners,

v.

JAMES E. McKINNEY, et al.,

Respondents.

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

BRIEF IN OPPOSITION TO PETITION FOR A WRIT OF CERTIORARI

J. RICHARD COHEN
Counsel of Record
MARK ENGLEHART
P. 0. Box 2087
Montgomery, AL 36102-2087
(205) 264-0286

COUNSEL FOR RESPONDENTS

QUESTIONS PRESENTED

The questions presented in the petition are not supported by the record. The questions properly presented are:

1. Did the court of appeals err in rejecting petitioners' claim that the First Amendment shielded them from civil liability where the evidence demonstrated that petitioners conspired to deprive respondents of their First Amendment rights to participate in a peaceful civil rights march by hindering law enforcement officials from protecting those rights?

2. Did the court of appeals err in rejecting petitioners' claim that the punitive damage awards were excessive where the evidence demonstrated that petitioners acted with gross disregard for respondents' rights and the jury's punitive damage assessments reflected a reasoned judgment of the relative culpability of each petitioner and the amount needed to deter similar misconduct in the future?

TABLE OF CONTENTS

Page:

TABLE OF AUTHORITIES

Cases: Page

Statutes and Rules:

STATEMENT OF THE CASE

As is evident from even a cursory review of the court of appeals' decision, petitioners' statement of the case distorts the record below. At bottom, petitioners are seeking nothing more than further appellate review of the jury's conclusion that an unlawful conspiracy existed. *See* Petition for Certiorari at 8 ("Contrary to the allegation of the Court of Appeals that these petitioners 'concocted' a conspiracy to interfere with the respondents' rights ....").

Respondents are a group of persons who participated in a march on January 17, 1987, in Forsyth County, Georgia, organized to honor the memory of Dr. Martin Luther King and to promote racial harmony. R 11-361, -396; *see Williams v. Southern White Knights*, No. 89-8092, slip op. at 2 (11th Cir. Oct. 27, 1989) (hereinafter "Opinion")(reproduced in Appendix to Petition). Petitioners are two Klan organizations and four of the twelve individuals who were defendants in the district court.[1] This action, brought pursuant to the Ku Klux Klan Act of 1871, 42 U.S.C. §1985(3), arose from the petitioners' actions in disrupting respondents' peaceful civil rights march.

Six days before the march, the individual petitioners met to reestablish a working relationship between the two Klan groups that also are petitioners here — the Southern White Knights and the Invisible Empire. R 16-1247. At the time, the individual petitioners were high officials or members of the two Klan groups: David Holland was the Grand Dragon

---

[1] One of the individual defendants was not found liable. The remaining seven who were found liable with the petitioners did not appeal. *See* Opinion at 2 n.1.

of the Southern White Knights, R 11-484; Edward Stephens, the Grand Dragon of the Invisible Empire, R 15-1003; Daniel Carver, the Great Titan of the Invisible Empire, R 13-820; and Frank Shirley, a member of several white supremacist groups including the Southern White Knights, R 12-611. *See* Opinion at 2. More than simply making plans for a peaceful Klan counterdemonstration, *see* Petition at 5, the petitioners launched a scheme "to disrupt and stop the Brotherhood March by violent means." Opinion at 10.[2]

To assist in notifying supporters about their scheme, petitioner Shirley drafted a flier in the name of a nonexistent committee asking recipients to come to the starting point of the march. R 13-758 to -759; Pls.' Ex.61. Along with Earl Watts, another defendant in the district court, petitioners Holland and Shirley distributed the fliers. R 13-808; Opinion at 3. Watts also helped secure permission for the Klan to use a field adjacent to the march site. R 10-196; R 13-803; *see* Opinion at 3. Petitioner Carver disclosed to a reporter that he planned to have about 100 Klan members in Forsyth County for the march, *see* Opinion at 3 — twenty five robed and the rest as unrobed observers who would "keep[] an eye on the march." R 13-779 to -780.[3]

On the morning of the march, the bulk of the Klan foot soldiers met near the expected march route. R11-518; R 11-

---

[2] *See, e.g.*, R 16-1255 to -1256, - 1258, -1264.

[3] The evidence of how petitioners notified and assembled their supporters contradicts petitioners' claim that they "were not shown to be acquainted in any way" with those who attacked the marchers. Petition at 14.

545 to -546; Opinion at 3. Petitioners Holland, Shirley, and Stephens were present; petitioner Carver was not. Opinion at 3.[4]

Using a powerful public address system, petitioner Holland made sure that the assembled crowd would be ready for action when the civil rights marchers arrived:

> At 10:00 o'clock, we need to walk down here to the corner, where those pickaninnies are. We need to let 'em know that we're gonna keep this place white. We mean for it to stay white. You can't have law and order and niggers too. I say one's gotta go. Let it be the niggers. ... This is a God-fearing community, *let's send the creeps on back to the watermelon fields of Atlanta, Georgia.* We don't want 'em, don't need 'em, and won't stand for it. And I say let's give 'em a good Forsyth County welcome where *we'll keep 'em out of here for seventy more years.* Let's disperse and go greet those filthy half-ape niggers, brothers.

Pls.' Ex. 1 (emphasis added); Opinion at 3. Holland and his group then moved to the site of the march and took their position behind the fence in the field that the Klan had

---

[4] As one condition of the appeal bond on his felony conviction for making terroristic threats, petitioner Carver was prohibited from participating in Klan demonstrations at the time of the Brotherhood March. R 14-840. But, his absence from the scene does not provide him with a safe harbor. *See, e.g., United States v. Orr,* 825 F.2d 1537, 1543 (11th Cir. 1987)(conspirator need not participate in every aspect of the scheme to be held liable).

previously procured. Pls.' Ex. 2; R 12-628; *see* Opinion at 3-4.[5]

When the civil rights marchers arrived, the Klan foot soldiers and their sympathizers, led by petitioner Holland, climbed over the fence and began to move toward the marchers. *See* Opinion at 4. Much of the screaming crowd — up to 90 percent according to one law enforcement estimate — began throwing rocks and bottles at the marchers and their bus.[6] "[S]everal of the respondents were hit in th[e] fusillade." Petition at 7.

Petitioners' claim that they tried to prevent the attack flies in the face of overwhelming evidence. Petitioner Holland did not simply address the crowd once, 30 minutes before the arrival of the marchers, as petitioners repeatedly imply. *See* Petition at 6, 13-14. Instead, he spurred the crowd on during the hail of debris, shouting "send the niggers back" and the like through the Invisible Empire bullhorn he had borrowed from petitioner Stephens. Pls.' Ex. 3; R 10-233. Stephens, the Grand Dragon of the Invisible Empire, told persons in the crowd several times to "send the niggers home." R 17-1330. Two defendants in the

---

[5] Contrary to petitioners' contention that local law enforcement officials did not consider their presence to be a "serious threat to public order," Petition at 5, numerous precautions were taken to protect the marchers. Wesley Walraven, the Sheriff of Forsyth County, had approximately 70 law enforcement officers on hand to help preserve the peace at the march, R 10-265, and attempted to isolate the marchers from the Klan. Opinion at 4.

[6] Pls.' Ex. 3; R 7-13, 10-231, 237, -341, 12-634, -650, 14-941; *see* Opinion at 4.

district court — Harold Palmour and Thomas Gayton — actually admitted that the encouragement of petitioners Holland and Stephens prompted them to throw rocks at the marchers. R 14-961 to -962; R 17-1339; Opinion at 4. *But cf.* Petition at 7 ("not one scintilla of evidence in the record that the Klan organizers ever told or directed a single person to make any kind of assault upon the respondents").

As the melee escalated, it soon became clear that the law enforcement officials were no match for the boisterous and increasingly violent crowd. Although several persons were arrested for throwing objects or interfering with law enforcement, R 10-242; R 10-244, two or three officers were required to remove each offender from the scene. R 12-642. Because of their limited numbers, the law enforcement officials were not able to arrest everyone who interfered with the march. R 10-246. As the march progressed, the angry mob surrounded the marchers. Because he was no longer able to guarantee the marchers' safety, Sheriff Walraven stopped the march. R 10-229; Opinion at 4. Even as the marchers escaped on their bus, they were pelted with rocks from the crowd. R 10-369; Opinion at 4.[7]

Petitioners omit from their statement of the case any mention of their statements after the march admitting their

---

[7] Douglas McGinnis, another defendant in the district court and a high ranking Invisible Empire official, was a part of the crowd that encircled the marchers. Pls.' Ex. 3. When asked whether petitioner Carver invited him to a meeting before the march to discuss plans to stop the march and whether he himself directed unrobed Klansmen to stop the march, McGinnis asserted his Fifth Amendment privilege against self-incrimination. R 14-868.

complicity in the mob violence. The day after the march, petitioner Holland, the leader of petitioner the Southern White Knights, took full credit for stopping the march in a speech to Klansmen in Raleigh, North Carolina:

> Last night in Forsyth County, Georgia, the *Ku Klux Klan sent that nigger Hosea Williams and his busload of race traitors back to Atlanta.* Brothers and sisters, we sent 'em back with three or four windows busted out of that bus.
>
> * * *
>
> And I say, brothers and sisters, if those blue-gummed, ape-drunken, gorilla-smelling niggers come sticking their nose in your business, you ought to send them home *like we did, with bottles and rocks up aside their heads.*

Pls.' Ex. 72 (emphasis added); R 11-485; Opinion at 4-5.

The Klansman, the official newspaper of petitioner the Invisible Empire, also took credit for the part its officers and members played in assaulting the marchers and law enforcement officials:

> What was supposed to have been a black victory, turned into a black disaster on Saturday January 1[7], 1987, as *over 100 members of the Invisible Empire, Knights of the Ku Klux Klan and their supporters drove 75 black reprobates and freedom marchers*

> *from this community located in all white Forsyth County.*
>
> * * *
>
> As the blacks left their buses to begin the march, they were met by at least 100 Klansmen and 50 other white patriots waving Confederate flags and demanding that law enforcement officers standing by "get the niggers out!"
>
> *As the invading black agitators started marching, people in the flag waving crowd began hurling rocks, bottles and dirt. Then, as a wave of patriotism spread over the onlookers, the courageous crowd charged the marchers and their bodyguards and drove them back to their buses.* Needless to say, the marchers hastily returned to Atlanta.

Pls.' Ex. 66 (emphasis added); Opinion at 5-6. Petitioner Carver, Great Titan of the Invisible Empire, told Klan members the day after the march that his group had "thousands" of white people ready to fight to keep blacks from moving into Forsyth County. He added that blacks could only be kept out of the county with "rocks, bottles, fire [and] guns." Pls.' Ex. 74; Opinion at 5.

Petitioners' focus on the absence of serious physical harm or the need for medical attention, *see* Petition at 7, minimizes the obvious emotional distress respondents suffered. The forceful and heated attack that disrupted the march was painful, frightening, and humiliating for the

marchers who were its targets. *See* Opinion at 4. One person who marched with her husband and seventeen-year-old daughter testified that she was "terrified" in the face of the hail of rocks and bottles flying at the marchers. R 11-366. Another found the experience "frightening," R 11-400, and a third was "totally petrified" during the march and upset and nervous for days afterward. R10-438 to -439. A fourth marcher felt "humiliated" when Sheriff Walraven directed the marchers to return to the bus and also "very afraid" because she "felt like the police could not protect us at that point." R 11-459.

These representative marchers testified not only to their own injuries, but also to the devastating effect that the attack had on fellow marchers. Throughout the march, "everybody was scared," R 11-435; "very tense, obviously, and very worried that we were going to get hit with something or get hurt in some other way." R 11-457. Once they reboarded the bus, the marchers sat in "total shock," wondering whether they were "going to make it out of here." R 11-401.

After the jury verdict, the trial court entered a judgment in favor of respondents for compensatory damages totalling $2,500.00. R 5-176. *But cf.* Petition at 19 (erroneously stating that compensatory damages were $50.00). The punitive damage awards against the two petitioning Klan organizations were $350,877.19 each. The punitive awards assessed against the individual defendants ranged from $43,859.65 for petitioner Holland to $877.19 for six of the other individual defendants. The punitive awards against

petitioners Stephens, Shirley, and Carver were $26,315.79 each.

REASONS WHY THE WRIT SHOULD BE DENIED

1. The Record Below Does Not Raise the Questions Presented in the Petition.

The heart of both questions presented by petitioners is the claim that their conduct was simply provocative, but nonetheless protected, political speech. Indeed, petitioners imply that liability rested solely on two brief sets of remarks — petitioner Holland's speech before the arrival of the marchers and petitioner Stephens' pre-march slurs about "throwing peanuts at the monkeys." Petition at 9-13, 17.

Petitioners' factual premise is contradicted by the evidence. As the court of appeals recognized, the record amply supports the jury's ultimate determination that the petitioners "plotted not only to avail themselves of the opportunity to express views contrary to those held by the marchers but also to *disrupt and stop the Brotherhood March by violent means*." Opinion at 10 (emphasis added). Petitioners' suggestion that the jury held them liable solely on the basis of protected speech fails for the simple fact that their foot soldiers — as planned, directed, and applauded by petitioners — used rocks, bottles, and physical force to achieve their ends. The fact that petitioners used language during the course of their conspiracy does not shield them from liability. As this Court has noted, unlawful actions

cannot be immunized "'merely because the conduct was in part initiated, evidenced, or carried out by means of language.'" *Ohralik v. Ohio State Bar Association*, 436 U.S. 447, 456 (1978)(citation omitted).[8]

The false premise that petitioners did nothing but engage in protected speech likewise infects their claim that the punitive damage awards are prohibited by the First Amendment. In assessing punitive damages, the jury did not "punish the petitioners for their unpopular political and social views" or even for "misconduct ... inextricably intertwined with protected speech." Petition at 21. Instead, as the court of appeals recognized, the jury imposed punitive damages for petitioners' involvement in "a conspiracy which extended far beyond either 'mere advocacy' or the 'abstract expression of ideas' to include a violent assault upon both [respondents] and the law enforcement officials on the scene." Opinion at 11 (citation omitted).

Given that no serious First Amendment issue is raised by the record, this case is not a proper one to establish a constitutional rule that large punitive damage awards should be limited to cases of "serious" injury when First

---

[8] *See Harte-Hanks Communications, Inc. v. Connaughton*, 109 S.Ct. 2678, 2696 n.34 (1989) (citation omitted) (labeling "'speech ... as a tool for political ends does not automatically bring it under the protective mantle of the Constitution'"); *see also United States v. Choate*, 576 F.2d 165, 181 (9th Cir.) ("[s]peech thought to promote a criminal scheme . . . is hardly within the ambit of the First Amendment"), *cert denied*, 439 U.S. 953 (1978); *United States ex rel. Means v. Solem*, 457 F.Supp. 1256, 1271 (D.S.D. 1978)(no First Amendment protection for speech that is "the very vehicle of the crime itself").

Amendment values are implicated. *See* Petition at 21. Petitioners did not object to the district court's punitive damage instructions and did not propose any further instructions to guide the jury in deliberating about punitive damages.[9] Petitioners' only strategy before the jury for avoiding punitive damages was to claim that the First Amendment provided a defense to any liability — a defense properly rejected by the jury, the district court, and the court of appeals. Although it may be an open question whether the size of punitive damage awards may in some circumstances violate due process, *see Browning-Ferris Industries v. Kelco Disposal, Inc.*, 109 S.Ct. 2909, 2921 (1989), petitioners raised no such claim in the courts below.[10]

Petitioners' complaints concerning both liability and

---

[9] Petitioners' claim that the size of the punitive damage award chills the exercise of their First Amendment rights, see Petition at 21-23, was first raised in a cursory fashion in their reply brief in the court of appeals and was not specifically addressed by that court. For this reason alone, this Court should not consider the claim. *See NLRB v. Sears, Roebuck & Co.*, 421 U.S. 132, 163-64 (1975). The district court, it should be noted, instructed the jury that respondents were "entitled to no damages from the defendants for actions by the defendants constituting merely the lawful expression or exercise of their First Amendment rights." R 19-1573.

[10] Adopting appellants' suggested rule would effectively immunize a whole category of opprobrious conduct. As one court of appeals stated in words that apply equally to this case, "[t]he need for deterrence or punishment should not vary with the success of the assault." *Glover v. Alabama Dept. of Corrections*, 734 F.2d 691, 694 (11th Cir. 1984); *cf. Carlson v. Green*, 446 U.S. 14, 22 n.9 (1980)("punitive damages may also be the only significant remedy available in some §1983 actions where constitutional rights are maliciously violated but the victim cannot prove compensable injury").

punitive damages rise, and ultimately fall, on their assumption that the jury held them liable solely on the basis of protected speech. The complete lack of factual support for this assumption makes their questions presented applicable only to a hypothetical situation not presented here.

2. The Issues Properly Raised by the Record Do Not Present Novel or Unsettled Questions.

Contrary to petitioners' suggestions, this case does not probe the "perimeters" of incitement. *See* Petition at 18. Unlike *Brandenburg v. Ohio*, 395 U.S. 444 (1969) — a case that involved pure speech not followed by any harm — the record here shows that petitioners conspired to stop a lawful march by force; notified and assembled their supporters to further their scheme; led those supporters against peaceful civil rights marchers; urged their followers to throw rocks and bottles; and boasted after the fact about their accomplishments. Imposing liability in such circumstances did not break new ground. *See, e.g., NAACP v. Claiborne Hardware Co.*, 458 U.S. 886, 927 (1982) ("a finding that [petitioners] authorized, directed, or ratified specific tortious activity would justify holding [them] responsible for the consequences of that activity").

While petitioners now try to distance themselves from the handiwork of their foot soldiers, their boasts and admissions immediately after the march are further proof that they authorized and directed the violent acts of the mob. *See Claiborne Hardware*, 458 U.S. at 927

(speeches admissible as "evidence that [petitioners] gave ... specific instructions to carry out violent acts or threats").[11] Similarly, the leading role of the top officials of the two Klan organizations and the participation of many of their members amply justify the jury holding the Klan organizations liable for the unlawful scheme. *Compare* R 19-1574 to -1575 (jury instructions concerning organizational liability) *with Monell v. Department of Social Services*, 436 U.S. 658, 694 (1978) (governmental liability under 42 U.S.C. §1983). To immunize conduct of this kind would render meaningless this Court's reminder that "the use of weapons, gunpowder, and gasoline may not constitutionally masquerade under the guise of 'advocacy.'" *Claiborne Hardware*, 458 U.S. at 916 (citation omitted).

Likewise, the record here presents the ideal case for a substantial award of punitive damages. The two objectives of such damages are clear — "to punish the tortfeasor whose wrongful action was intentional or malicious" and "to deter him and others from similar extreme conduct." *Newport v. Fact Concerts, Inc.*, 453 U.S. 247, 266-67 (1981). The jury's

---

[11] Petitioners' suggestion that *Rankin v. McPherson*, 483 U.S. 378 (1987), somehow limits their liability is mystifying. The remarks for which public employee McPherson could not constitutionally be fired bemoaned the lack of success of a far distant crime for which McPherson bore no responsibility. Under *Claiborne Hardware*, McPherson's after-the-fact approval of a violent act in which she had no part is far different from petitioners' after-the-fact remarks that admitted their complicity in violent acts that they themselves had planned and directed.

individualized assessments of punitive damages here were faithful to these objectives.

The need to punish the petitioners for egregious misconduct was unmistakable from the record that the jury considered,[12] and a case that cries out more loudly for deterrence can scarcely be imagined. The day after the petitioners forcibly halted the Brotherhood March, petitioner Holland, in a speech to Klansmen in Raleigh, North Carolina, was already encouraging others to emulate the Klan mob's violent acts. *See* Pls.' Ex. 72 (emphasis added) ("if those blue-gummed, ape-drunken, gorilla-smelling niggers come sticking their noses in your business, *you ought to send them home like we did, with bottles and rocks up aside their heads*"). Similarly, petitioner Carver attempted to persuade others to adopt the petitioners' violent tactics. *See* Pls.' Ex.74 ("[T]he black animals will be kept out with rocks, bottles, fire, guns and by the grace of God. And the Ku Klux Klan is ready to stand with the white people in Forsyth County anytime the niggers try to return.").

In light of the purposes of punitive damages, the amounts settled upon by the jury in this case are clearly within reasonable bounds.[13] The punitive damage judgments range

---

[12] The jury was properly instructed as to the culpable mental state necessary for assessment of punitive damages. R 19-1580 to 1581. *See Smith v. Wade*, 461 U.S. 30, 56 (1983).

[13] *See Gruenthal v. Long Island R. Co.*, 393 U.S. 156, 159 n.4 (1968)(noting that courts of appeals permit reversal of a damage award only when it meets a standard variously described as "shocking to the judicial conscience," "outrageously excessive," or "monstrous").

from $350,877.19 against the two Klan organizations down to $877.19 against six of the individual defendants. The award against petitioner Holland was $43,859.65; the awards against petitioners Stephens, Shirley, and Carver were $26,315.79. R 5-176. The jury awarded less — with regard to each petitioner, significantly less — in punitive damages than the plaintiffs requested in every instance but one. *Compare* R 19-1480 to 1481 (plaintiffs' request) *with* R 5-176 (judgment). The jury's punitive damage awards indicate that the jurors thought carefully about the amounts and distinguished among the defendants based upon their degree of culpability. *See* Opinion at 12-13. In short, the jury's awards reflect a reasoned exercise of "the broad discretion traditionally accorded to juries in assessing the amount of punitive damages." *Newport*, 453 U.S. at 270.

3. Determination of Any Issues in this Case Would Have Little Precedential Value.

The jury's decision that petitioners conspired to disrupt the respondents' march and the individualized punitive damage assessments are inextricably bound up with the factual context here. Further consideration of any issues properly raised in this case "would be of no importance save to the litigants themselves." *Rudolph v. United States*, 370 U.S. 269, 270 (1962). Indeed, the court of appeals recognized as much in choosing not to publish its opinion. *See* Internal Operating Procedures — Opinions, 11th Cir. R. 36-1 ("Opinions that the panel believes to have no

precedential value are not published.").

Petitioners' arguments at their core seek nothing more than further appellate review of the jury's factual findings that a conspiracy to deprive respondents' rights existed and that specified amounts of punitive damages — tailored to each petitioner — were necessary. Absent any arguably protected conduct, "the strictures of the Seventh Amendment" require that this Court be "reluctant ... to take steps which might interfere with the proper role of the jury." *Browning-Ferris Industries*, 109 S.Ct. at 2923 n.26.

Even if this record did present arguably protected conduct, the court of appeals' opinion reflects that it conducted a searching, independent review of the trial record and carved out ample "breathing space" to immunize any protected conduct. *See* Opinion at 2-6 (detailing facts); *cf. Harte-Hanks Communications*, 109 S.Ct. at 2695-97 (discussing standard of review where protected conduct arguably involved). Giving proper deference to the jury's credibility determinations, *see* Opinion at 10-13, the court of appeals properly found that the damages were "neither excessive nor unconscionable" and that petitioners' claim that they conspired only to express First Amendment ideas was "specious." *Id.* at 10, 13. The court of appeals' careful consideration of the straightforward issues presented makes granting the writ here an unwise exercise of this Court's discretion.

CONCLUSION

For all the above reasons, the petition for a writ of certiorari should be denied.

Respectfully submitted,

J. RICHARD COHEN
Counsel of record
MARK ENGLEHART
P. O. Box 2087
Montgomery, AL 36102-2087
205/264-0286

COUNSEL FOR RESPONDENTS